

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

TYLER SHAY,)
)
)
Plaintiff,)
)
)
v.) Case No. 4:18-00970-CV-RK
)
)
NANCY A. BERRYHILL, ACTING)
COMMISSIONER, SOCIAL SECURITY)
ADMINISTRATION;)
)
)
Defendant.)

**ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEYS' FEES
UNDER THE EQUAL ACCESS TO JUSTICE ACT**

Before the Court is Plaintiff's motion for attorneys' fees under the Equal Access to Justice Act ("EAJA"). (Doc. 16.) Defendant has no objection to Plaintiff's request for attorneys' fees. (Doc. 17.)

Under the EAJA, a prevailing party in an action brought against the United States shall be awarded attorneys' fees unless the position of the United States was "substantially justified" or special circumstances make an award unjust. 28 U.S.C. § 2412(d)(1)(a). Plaintiff was a prevailing party in this action, and an award is appropriate. Accordingly, the Court **ORDERS** as follows:

1. Plaintiff is awarded attorneys' fees in the amount of \$4,940.63, to be paid by the Social Security Administration.
2. The above award is subject to offset to satisfy any pre-existing debt Plaintiff may owe to the United States.
3. If the Government is satisfied there is no debt owed by Plaintiff, the fee or any remainder following offset may be made payable directly to Plaintiff's counsel, per the assignment attached to the motion.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: April 7, 2020